

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Dated this the 18th Day of June 1998

BEFORE

THE HON'BLE MR. JUSTICE CHANDRASHEKARAIAH

WRIT PETITION NO.17875/1998

Between:

Sri.Sohanlal,
Son of Shri Misrilal,
major, residing at
No.1153 - 1154,
Sindhanoor, Raichur
Dist., Karnataka State.

...PETITIONER

(By Sri.Sreematsa Associates, Adv.)

And:

1. The Sindhanoor Town
Municipal Council,
Sindhanoor,
Raichur District,
Karnataka State.
2. The Chief Officer,
Sindhanoor Town
Municipal Council,
Sindhanoor,
Raichur District,
Karnataka State.

...RESPONDENTS

(By Sri.Ashok Harnahalli, Adv.)

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This Writ Petition is filed under Article 226 of the Constitution of India with a prayer to quash the warrant dated 25.03.1998 vide Annexure 'B'.

This Writ Petition coming on for Preliminary Hearing this day, the Court made the following:-

O_R_D_E_R

The petitioner claiming to be the owner of the property has filed this Writ Petition challenging the order of attachment issued by the Municipality on the ground that no notice was issued to him. The contention of the petitioner that he is the owner of the property was not accepted by the Court in the suit in O.S.No. 157/1984 filed by the petitioner. When such being the case, the petitioner is liable to pay the rent due to the respondents. Admittedly, the petitioner has not paid the rent in respect of the property which is said to be in his possession. In view of this, the Municipal Council is right in attaching the properties as per Annexure 'B'. Therefore, this is not a case which calls for interference by this

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Court under Article 226 of the Constitution of India. Accordingly, this writ Petition is rejected.

Sd/-
JUDGE



sps/-